REMARKS

[0003] The Applicant respectfully requests reconsideration and allowance of all of the claims of the application. Claims 1-2, 6, 8-13 and 15-32 are presently pending. Claim 1 is amended herein. No claims are withdrawn, canceled or newly added herein are.

Statement of Substance of Interview

[0004] The Examiner graciously talked with me—the undersigned representative for the Applicant—on March 16, 2009. The Applicant greatly appreciates the Examiner's willingness to talk. Such willingness is invaluable to both of us in our common goal of an expedited prosecution of this patent application.

[0005] During the interview, I discussed how the claims differed from the cited reference, namely Gershony. Without conceding the propriety of the rejections and in the interest of expediting prosecution, I also proposed several possible clarifying amendments.

[0006] I understood the Examiner to concur that the claims differed from the cited reference. In addition, the Examiner stated that the claims appeared to be in condition for allowance.

[0007] The Applicant herein amends the claims in the manner discussed during the interview. Accordingly, the Applicant submits that the pending claims are allowable over the cited art of record for at least the reasons discussed during the interview.

Formal Request for an Interview

[0008]   If the Examiner's reply to this communication is anything other than allowance of all pending claims and if the only issues that remain are minor or formal matters, then I formally request an interview with the Examiner. I encourage the Examiner to call me—the undersigned representative for the Applicant—so that we can talk about this matter so as to resolve any outstanding issues quickly and efficiently over the phone.

[0009]   Please contact me to schedule a date and time for a telephone interview that is most convenient for both of us. My contact information may be found on the last page of this response.

Claim Amendments

[0010]   Without conceding the propriety of the rejections herein and in the interest of expediting prosecution, the Applicant amends claim 1 herein. The Applicant amends claims to clarify claimed features. Such amendments are made to expedite prosecution and more quickly identify allowable subject matter. Such amendments are merely intended to clarify the claimed features, and should not be construed as further limiting the claimed invention in response to the cited reference.

[0011]   Support for the amendments to claim 1 is found in the specification at least at pages 9-12.

Substantive Matters

Claim Rejections under § 102

[0012] Claims 1-2, 6, 8-13 and 15-32 are rejected under 35 U.S.C. § 102. In light of the amendments presented herein and the agreements reached during the above-discussed Examiner interview, the Applicant submits that these rejections are moot. Accordingly, the Applicant asks the Examiner to withdraw these rejections.

[0013] The Examiner's rejections are based upon the following reference:

Gershony: *Gershony, et al.,* US Patent No. 6,549,218 (issued April 15, 2003).

Overview of the Application

[0014] The Application describes a technology for providing interoperability between two different graphics technologies. An embodiment of the present Application includes windows of two types: a legacy type and a new type. A graphics system includes components that support each of the two types. Interoperability is achieved by creating legacy structures associated with any windows of the new type. (*Application*, Abstract)

Cited References

[0015] The Examiner cites Gershony as the primary reference in the anticipation-based rejections.

Gershony

[0016] Gershony describes a technology where output from an application or other program running in a windowing environment is redirected from the application to a bit map where it can be further manipulated prior to being displayed on the screen. (*Gershony*, Abstract)

Anticipation Rejections

[0017]   The Applicant submits that the anticipation rejections are not valid because, for each rejected claim, no single reference discloses each and every element of that rejected claim.[1] Furthermore, the elements disclosed in the single reference are not arranged in the manner recited by each rejected claim.[2]

Based upon Gershony

[0018]   The Examiner rejects claims 1-2, 6, 8-13 and 15-32 under 35 U.S.C. § 102(e) as being anticipated by Gershony. The Applicant respectfully traverses the rejection of these claims. Based on the reasons given below, the Applicant asks the Examiner to withdraw the rejection of these claims.

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[1] "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987); also see MPEP §2131.

[2] See *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

Amended Independent Claim 1

[0019] The Applicant submits that Gershony does not anticipate this claim because it does not disclose at least the following features as recited in this claim (in part, with emphasis added):

- "a first graphics system configured to render window content in a first mode, the first graphics system being further configured to reference a first type of window using a window handle associated with an instance of the first type of window, wherein *rendering of window content is facilitated by a device context that is based on the window handle associated with the instance of the first type of window*"

- "a second graphics system configured to render windows in a second mode *without using any device context*, the second graphics system being further configured to reference a second type of window *without using any window handle*"

- "an interoperability component configured to cause a dummy window handle to be created for an instance of a window of the second type and to use the dummy window handle if called to perform a graphics related action on the instance of the window of the second type, wherein a null device context is associated with the dummy window handle to facilitate a lookup of the second type of window, wherein *any drawing done to the null device context is lost*"

[0020] As agreed to in the above referenced Examiner interview, Gershony does not anticipate this claim. In short, Gershony does not disclose or describe "a first graphics system ... wherein *rendering of window content is facilitated by a device context that is based on the window handle associated with the instance of the first type of window ...* a second graphics system configured to render windows in a second mode *without using any device context ... without using any window handle ...* an interoperability component ... wherein *any drawing done to the null device context is lost*" as recited in this claim, as amended because Gershony requires painting to a device context for either a legacy or a redirected window (Gershony, Fig. 3).

[0021] Consequently, Gershony does not disclose all of the elements and features of this claim. Therefore, Gershony does not anticipate this claim. Accordingly, the Applicant asks the Examiner to withdraw the rejection of this claim.

Independent Claims 12

[0022]   The Applicant submits that Gershony does not anticipate this claim because Gershony does not disclose at least the following features as recited in this claim (in part, with emphasis added):

- "a first graphics system *that uses window handles* to reference windows"
- "the second window being compatible with a second graphics system that does not use window handles"
- "a mock window handle associated with the second window ... a null device context is associated with the mock window handle to facilitate a lookup of the second window, wherein *any drawing done to the null device context is lost*"

[0023]   Claim 12 is rejected on substantially the same basis as claim 1. As agreed to in the above referenced Examiner interview, Gershony does not anticipate this claim. In short, Gershony does not disclose or describe a "second window" and that "any drawing done to the null device context is lost" as recited in this claim, because Gershony discloses using a window handle and device context for both a legacy and redirected window. Consequently, Gershony does not disclose all of the elements and features of this claim. Accordingly, the Applicant asks the Examiner to withdraw the rejection of this claim.

Independent Claims 21

[0024]   The Applicant submits that Gershony does not anticipate this claim because Gershony does not disclose at least the following features as recited in this claim (in part, with emphasis added):

- "an alternative graphics system _that does not use a window handle_"
- "associating the dummy window handle with the new visual by returning a null device context to facilitate a lookup of the new window, wherein _any drawing done to the null device context is lost_"

[0025]   Claim 21 is rejected on substantially the same basis as claim 1. As agreed to in the above referenced Examiner interview, Gershony does not anticipate this claim. In short, Gershony does not disclose or describe "an alternative graphics system _that does not use a window handle_" and that "any drawing done to the null device context is lost" as recited in this claim, because Gershony discloses using a window handle and device context for both a legacy and redirected window. Consequently, Gershony does not disclose all of the elements and features of this claim. Accordingly, the Applicant asks the Examiner to withdraw the rejection of this claim.

Dependent Claims

[0026]   In addition to its own merits, each dependent claim is allowable for at least the same reasons that its base claim is allowable. The Applicant requests that the Examiner withdraw the rejection of each dependent claim where its base claim is allowable.

Conclusion

[0027] All pending claims are in condition for allowance. The Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the **Examiner is urged to contact me before issuing a subsequent Action**. Please call or email me at your convenience.

Respectfully Submitted,

Lee & Hayes, PLLC
Representatives for the Applicant

/ E. John Fain /   Dated: 3/23/09

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